UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/50/703
S/1995/901
30 October 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Agenda items 8 and 92
ADOPTION OF THE AGENDA AND
ORGANIZATION OF WORK
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 30 October 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

With regard to the letter dated 24 October 1995 from "Chargé d'affaires a.i." of the Permanent Mission of "Yugoslavia" (relating to the country provisionally known as "Federal Republic of Yugoslavia (Serbia and Montenegro)") addressed to you (A/50/674-S/1995/883), I have the honour, on behalf of my Government, to state the following.

1. My Government reiterates its position as stated in my letter dated 10 October 1995 (A/50/545-S/1995/863) addressed to Your Excellency with regard to the status of Mr. Jovanovic in the United Nations, and the status of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in the United Nations.

2. Mr. Jovanovic enters into legal arguments of occupation. In this regard I would like to reiterate that the actions of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" from 1991 onwards clearly fall into the definition of occupation according to the 1907 Hague Convention and its annexed Regulations Respecting the Laws and Customs on War on Land. Not only did this State occupy the easternmost region of Croatia, but it de facto administrated the territory by incorporating it into its legal and political system. Croatia has on numerous occasions presented evidence to the above.

Furthermore, the General Assembly expressed itself as "alarmed and concerned" by the existence of occupation of the Serbian-controlled parts of sovereign Croatian territory in its resolution 49/43 of 9 December 1994, stating that "the ongoing situation in the Serbian-controlled parts of Croatia is de facto allowing and promoting a state of occupation of parts of the sovereign

Croatian territory, and thus seriously jeopardizing the sovereignty and territorial integrity of the Republic of Croatia".

Similarly on the point of occupation, the General Assembly concluded that, "in particular, [the activities of] the Federal Republic of Yugoslavia (Serbia and Montenegro) ... aimed at achieving the integration of the occupied territories of Croatia into the administrative, military, educational, transportation and communication systems of the Federal Republic are illegal, null and void, and must cease immediately". The General Assembly further requested the "Federal Republic of Yugoslavia (Serbia and Montenegro) to cease immediately any military and logistic support to the self-proclaimed authorities in the Serbian-controlled parts of Croatia".

I would like to point out that an overwhelming majority of Member States, 142 of them, expressed their full support by voting for resolution 49/43, while not a single one raised its voice in dissent.

3. Since we have complete confidence in the peace talks that are under way between the Croatian Government and the local Serbian proxy authorities in Eastern Slavonia, and strive to achieve success at the talks that are about to begin in Dayton, Ohio, my Government has decided to defer the debate and decision on agenda item 92 until the fifty-first session of the General Assembly.

This decision of my Government was communicated to the Chairman of the Special Political and Decolonization Committee, and to all the co-sponsors of resolution 49/43, on 20 October 1995.

I would kindly request your assistance in distributing this letter as a document of the General Assembly, under agenda items 8 and 92, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative